

REMARKS

Petition for Change in the Order of the Names of the Inventors

Under 37 C.F.R. § 1.182

On April 19, Applicants submitted a petition requesting the reordering of, specifically, the first two named inventors. The Applicants would request that the first named inventor in this application be designated as Walter D. Lichtenstein. The Applicants would further request the Examiner ensure proper consideration (and grant) of the petition prior to the close of prosecution in this matter.

Allowable Subject Matter

In the *Office Action*, the Examiner objected to claims 19, 36 and 54 “as being dependent upon a rejected base claim” but noted these three claims “would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.” *Office Action*, p. 9 at ¶ 29. The Examiner further found claims 64-66 to be allowable. See *Office Action*, p. 10 at ¶ 30. The Applicants thank the Examiner for identifying this allowable subject matter.

Claim 19 of the application (as filed) was dependent upon claim 1 via claim 15. Applicant has amended claim 1 to incorporate the recited limitations of claims 15 and claim 19; claims 15 and 19 have been cancelled. As such, the Applicants believe claim 1—and all claims dependent there from—to be in condition for allowance. The Applicants reserve the right to pursue the subject matter of dependent claims 15 and 19 as well as the initially filed subject matter of claim 1 in a continuation application.

Claim 36 of the application (as filed) was dependent upon claim 1 via claim 35 via claim 34 via claim 33 via claim 32. Applicant has amended claim 32 to incorporate all the limitations of base claim 1 as well as the dependent limitations of claim 33, 34, 35 and 36; claims 33 through 36 have been cancelled. As such, the Applicants believe claim 32—and all claims dependent there from—to be in condition for allowance. The

Applicants reserve the right to pursue the subject matter of dependent claims 33-36 as well as the initially filed subject matter of claim 32 in a continuation application.

Claim 54 of the application (as filed) was dependent upon claim 47 via claim 53. Applicant has amended claim 47 to incorporate all the dependent limitations as recited in claims 47 and 53; claims 47 and 53 have been cancelled. As such, the Applicants believe claim 47—and all claims dependent there from—to be in condition for allowance. The Applicants reserve the right to pursue the subject matter of dependent claims 53 and 54 as well as the initially filed subject matter of claim 47 in a continuation application.

Rejections Under 35 U.S.C. § 102

The Examiner rejected claims 1, 4, 10, 21-22, 67-68 and 73 in light of U.S. patent number 6,332,023 to *Porter et al.* See *Office Action*, p. 2 at ¶ 3. The rejected claims have either been amended to incorporate allowable subject matter as indicated by the Examiner, cancelled (without prejudice), or are now dependent on an otherwise allowable claim thereby making the Examiner's 35 U.S.C. § 102 rejection moot.

Rejections Under 35 U.S.C. § 103

The Examiner rejected claims 2-3, 8-9, 27, 41-44, 48-49, 52, 56, 58, and 72 in light of *Porter et al.* and U.S. patent number 6,337,850 to *Nakano et al.* See *Office Action*, p. 3 at ¶ 9. The rejected claims have either been amended to incorporate allowable subject matter as indicated by the Examiner, cancelled (without prejudice), or are now dependent on an otherwise allowable claim thereby making the Examiner's 35 U.S.C. § 103 rejection moot.

The Examiner rejected claims 5, 15-18, 20, 23-26, 28, 33-35, 37-40, 45-47, 50-51, 53, 55, 57, 59, 63, 69-70, and 74-76 in light of *Porter et al.* and U.S. patent number 6,208,661 to *Marshall*. See *Office Action*, 5 at ¶ 14. The rejected claims have either been amended to incorporate allowable subject matter as indicated by the Examiner, cancelled (without

prejudice), or are now dependent on an otherwise allowable claim thereby making the Examiner's 35 U.S.C. § 103 rejection moot.

The Examiner rejected claims 7, 13-14, 30-31, and 71 in light of *Porter et al.* and that which is supposedly "well known and expected in the art." *Office Action*, 7 at ¶ 21-25. The rejected claims have either been amended to incorporate allowable subject matter as indicated by the Examiner, cancelled (without prejudice), or are now dependent on an otherwise allowable claim thereby making the Examiner's 35 U.S.C. § 103 rejection moot.

The Examiner rejected claims 60-62 in light of *Porter et al.* and *Marshall* in further view of that which is supposedly "well known and expected in the art." See *Office Action*, 8 at ¶ 26-28. The rejected claims have either been amended to incorporate allowable subject matter as indicated by the Examiner, cancelled (without prejudice), or are now dependent on an otherwise allowable claim thereby making the Examiner's 35 U.S.C. § 103 rejection moot.

CONCLUSION


All rejected claims have either been amended to incorporate allowable subject matter as indicated by the Examiner, cancelled (without prejudice), or are now dependent on an otherwise allowable claim thereby making the Examiner's 35 U.S.C. §§ 102 and 103 rejections moot. As such, all claimed subject matter is now in condition for allowance.

The Examiner is invited to contact the Applicants' undersigned representative with any questions concerning this response.

Respectfully submitted,
Walter D. Lichtenstein et al.

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By:


Susan Yee (Reg. No. 41,388)
Carr & Ferrell LLP
2200 Geng Road
Palo Alto, CA 94303
T: 650.812.3400
F: 650.812.3444